

AMENDED IN ASSEMBLY MAY 9, 2007

AMENDED IN ASSEMBLY APRIL 23, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 774

Introduced by Assembly Member Houston

February 22, 2007

An act to add Section 35021.3 to the Education Code, relating to physical education.

LEGISLATIVE COUNSEL’S DIGEST

AB 774, as amended, Houston. Physical education: volunteer instructors.

Existing law requires the adopted course of study for grades 1 to 12, inclusive, to include physical education, and requires pupils to attend physical education for a specified minimum amount of time, based on grade level, unless otherwise exempted. Two courses in physical education are required to be completed by a pupil as part of the requirements for receipt of a diploma of gradation from high school, unless that pupil is otherwise exempted from physical education.

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~~Existing law authorizes the Commission on Teacher Credentialing is authorized to issue single subject credentials in the area of physical education, among other credentials.~~

This bill would authorize a school district and a county office of education to establish a registry of volunteer after school physical recreation instructors. To be included on a registry, a prospective registrant would be required to submit to a criminal background check,

pay all required fees for that check, submit current contact information, and keep that information current. A school, school district, or county office of education would be authorized to contribute funds to pay for all or part of the cost of a criminal background check required of a prospective registrant. The bill also would authorize a school district or county office maintaining a registry to impose other requirements on prospective registrants, including, but not limited to, certification in cardiopulmonary resuscitation. The bill would authorize a school under the jurisdiction of a school district or county office of education maintaining a registry, upon approval of the person acting as the coordinator of, or overseeing, the after school activities of the school, to allow a registrant to provide instruction in physical recreation to pupils after school hours. *Instruction in physical recreation provided to a pupil by a volunteer would be prohibited from counting toward satisfaction of either the physical education course requirements for graduation from high school or the required number of minutes of instruction in physical education.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to do both of
- 2 the following through the enactment of this act:
- 3 (a) Encourage volunteers from the community to partake in
- 4 physical recreation activities with pupils after school.
- 5 (b) Uphold current agreements between volunteers and schools
- 6 and not impose any additional regulations upon the volunteers.
- 7 SEC. 2. Section 35021.3 is added to the Education Code, to
- 8 read:
- 9 35021.3. (a) A school district and a county office of education
- 10 may establish a registry of volunteer after school physical
- 11 recreation instructors.
- 12 (b) (1) To be included on a registry established pursuant to
- 13 this section, a prospective registrant shall submit to a criminal
- 14 background check and pay all required fees for that criminal
- 15 background check to be performed. The prospective registrant
- 16 shall also submit current contact information to the school district
- 17 or county office maintaining the registry and shall update that
- 18 information whenever the information changes.

1 (2) A school, school district, or county office of education may
2 contribute funds to pay for all or part of the cost of a criminal
3 background check required of a prospective registrant pursuant to
4 paragraph (1).

5 (c) A school district or county office maintaining a registry may
6 impose other requirements on prospective registrants, including,
7 but not limited to, certification in cardiopulmonary resuscitation.

8 (d) Upon approval of the person acting as the coordinator of,
9 or overseeing, the after school activities of the school, a school
10 under the jurisdiction of a school district or county office of
11 education maintaining a registry may allow a volunteer registered
12 with the school district or county office to provide instruction in
13 physical recreation to pupils after school hours.

14 (e) This section does not require a school district or county
15 office of education to establish or maintain a registry and does not
16 require a school to use a volunteer from a registry to provide
17 instruction in physical recreation to pupils after school hours.

18 (f) *Instruction in physical recreation provided to a pupil by a*
19 *volunteer pursuant to subdivision (d) shall not be counted toward*
20 *satisfaction of either the physical education course requirements*
21 *for graduation from high school pursuant to Section 51225.3 or*
22 *the number of minutes of instruction in physical education required*
23 *pursuant to Section 51210, 51222, or 51223, as applicable.*